

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

RICHARD M. MICCIULLA

Filed: Herewith

For: Tab Plate

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached hereto is Form PTO-1449 listing documents believed relevant to the subject application. It is respectfully requested that these documents be considered by the examiner and an initialed copy of each form be returned to the undersigned.

By submitting this information disclosure statement, no representation is made that: (i) a search has been performed or the extent of any search that may have been performed; (ii) more relevant information does not exist; (iii) the information is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b); (iv) the information is prior art or otherwise relevant to the patentability of the claimed invention; (v) the order of the presentation of the information is an indication of the order of importance of the information.

It is believed that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedures § 609. If for some reason the examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

A copy of each document (other than U.S. Patents) is enclosed, where the website referred to in document BN is enclosed as a printout of the main page of the website. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

These documents are not necessarily analogous art.

The documents believed to be the most relevant to the patent application are identified by Citation Numbers beginning with "A". The documents believed to be less relevant are identified by citation numbers beginning with "B".

The relevance of Documents AA through AP is discussed in the background portion of the specification.

Document AO (German Patent No. DE-20114007-U1) for which no translation was readily available, is seen as discussing a food supporting and grasping invention. The examiner's attention is directed to Page 7, Figs. 1, 2 and 3.

Document AP (German Patent No. DE-811-944) for which no translation was readily available, is seen as discussing a food supporting and grasping invention. The examiner's attention is directed to Page 3, Fig. 2.

Document BN (International Patent No. WO 97/00040) for which no translation was readily available, is seen as discussing a food supporting and grasping invention. The examiner's attention is directed to Page 13, Figs. 1 and 2.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Lefton", with a long horizontal line extending to the right.

Scott Lefton  
781-883-5666

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3**C mplete if Known**

Application Number	
Filing Date	
First Named Inventor	Richard M. Micciulla
Art Unit	
Examiner Name	
Attorney Docket Number	MIC-101

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US- 6,299,918-B1	10-09-2001	Morgese	Page 2, Fig. 1
	AB	US- 6,129,235	10-10-2000	Creske	Page 1, Abstract
	AC	US- 5,669,505	09-23-1997	Mayer	Page 1, Abstract
	AD	US- 5,662,240	09-02-1997	Norris	Page 2, Figs. 3, 5
	AE	US- 5,607,077	03-04-1997	Torkelson	Page 1, Abstract
	AF	US- 5,381,905	01-17-1995	Mallamm et al.	Pages 3-4, Figs. 2-5
	AG	US- 5,326,020	07-05-1994	Cheshire et al.	Pages 2-3, Figs. 1-3
	AH	US- 5,088,640	02-18-1992	Littlejohn	Page 2, Figs. 1, 2
	AI	US- 4,966,297	10-30-1990	Doty	Page 6, Figs. 11, 12
	AJ	US- 4,890,549	01-02-1990	Steiner et al.	Page 2, Fig. 1
		US-			Col. 8, Lines 48-68
		US-			Col. 9, Lines 1-24
	AK	US- 4,746,057	05-24-1988	Wagner	Page 1, Abstract
	AL	US- 3,422,986	01-21-1969	Tilseth	Page 1, Figs. 1, 2
	AM	US- 2,669,379	08-03-1950	Olson	Page 1, Figs. 1-4
	AN	US- 2,647,678	05-05-1950	Olson	page 1, Figs. 1-3
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	AO	DE-201 14 007-U1	02-27-2003	MM Packaging	Page 7,	
				Europe GmbH	Figs. 1-3	
	AP	DE-811 944	08-27-1951	Noll	Page 3, Fig. 2	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

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Sheet **2**of **3****C mplete if Known**

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		Number-Kind Code <sup>2</sup> (if known)			
	BA	US- 6,415,944-B1	07-09-2002	Toussant	Page 1, Abstract
	BB	US- 5,346,070	09-13-1994	McSpadden	Page 1, Abstract
	BC	US- 5,323,910	06-28-1994	van de Graaf, Jr.	Page 1, Abstract
	BD	US- 5,184,750	02-09-1993	Moller	Page 1, Abstract
	BE	US- 4,744,597	05-17-1988	Bauman et al.	Page 1, Abstract
	BF	US- 4,721,500	01-26-1988	Van Handel et al.	Page 1, Abstract
	BG	US- 4,721,499	01-26-1998	Marx et al.	Page 1, Abstract
	BH	US- 4,609,140	09-02-1986	Van Handel et al.	Page 1, Abstract
	BI	US- 3,446,416	05-27-1969	Epstein	Page 1, Figs. 2, 3
	BJ	US- 3,355,082	11-28-1967	Wood	Page 1, Fig. 2
	BK	US- 2,940,634	06-14-1960	Wild	Page 1, Figs. 1, 2
	BL	US- 704,139	07-08-1902	Stadelman	Page 1, Figs. 1-3
	BM	US- D468,589-S	01-14-03	Bulcher et al.	Pages 3-5, Figs. 1-7
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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	BN	WO-97/00040	01-03-1997	Jeck	Page 13,	
					Figs. 1, 2	

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